

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAMONTE BROWN,

Plaintiff,

-against-

PRESIDENT/FOUNDER ALMA REALTY  
CORP.,

Defendant.

1:22-CV-2648 (LTS)

ORDER DIRECTING PAYMENT OF FEES  
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but his responses do not establish that he is unable to pay the fees to bring this action. Plaintiff states that he is employed, but he does not list the amount of his monthly wages; he also states that his last date of employment was December 11, 2019. He asserts that he does not receive any government benefits, and that he is “covered through operations as legal representation for plaintiff party [sic].” (ECF 1, at 2.) Plaintiff also states that he possesses less than \$100 in cash or in a bank account, and in response to the question in the IFP application about how much funds he possesses, he states “privacy observances. Thanks.” (*Id.*) Plaintiff further asserts that he owns no property, but he does not state whether he has any financial obligations, and if so, their amounts; in declining to reveal his financial obligations, he again states “privacy observances.” (*Id.*) Thus, the Court is unable to conclude that Plaintiff is unable to pay the fees to bring this action.

Accordingly, within 30 days of the date of this order, Plaintiff must either pay the \$402.00 in fees or complete, sign, and submit the attached amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 1:22-CV-2648 (LTS), and address the deficiencies described above by providing all the necessary facts to establish that Plaintiff is unable to pay the fees to bring this action. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* § 1915(a)(1).

No summons shall issue at this time. If Plaintiff complies with this order, this action shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, this action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: April 5, 2022  
New York, New York

/s/ Laura Taylor Swain  
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LAURA TAYLOR SWAIN  
Chief United States District Judge